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THE WHITE HOUSE

WASHINGTON

ON-FILE NSC RELEASE INSTRUCTIONS APPLY

July 12, 1982

DDI-5733-82

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE
THE SECRETARY OF COMMERCE
THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
THE DIRECTOR OF CENTRAL INTELLIGENCE
THE CHAIRMAN, JOINT CHIEFS OF STAFF
THE DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY
THE DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY POLICY
THE ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SUBJECT: Unclassified Version of NSDD-42 (National Space Policy)

The President has formally approved the attached unclassified version of the National Security Decision Directive on National Space Policy. Although the document is unclassified, it retains its "For Official Use Only" caveat.

FOR THE PRESIDENT:

William P. Clark

Attachment

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THE WHITE HOUSE

WASHINGTON

July 4, 1982

NATIONAL SECURITY DECISION
DIRECTIVE NUMBER 42
(UNCLASSIFIED VERSION)

NATIONAL SPACE POLICY

I. INTRODUCTION AND PRINCIPLES

This directive establishes national policy to guide the conduct of United States space program and related activities; it supersedes Presidential Directives 37, 42, and 54, as well as National Security Decision Directive 8. This directive is consistent with and augments the guidance contained in existing directives, executive orders, and law. The decisions outlined in this directive provide the broad framework and the basis for the commitments necessary for the conduct of United States space programs.

The Space Shuttle is to be a major factor in the future evolution of United States space programs. It will continue to foster cooperation between the national security and civil efforts to ensure efficient and effective use of national resources. Specifically, routine use of the manned Space Shuttle will provide the opportunity to understand better and evaluate the role of man in space, to increase the utility of space programs, and to expand knowledge of the space environment.

The basic goals of United States space policy are to: (a) strengthen the security of the United States; (b) maintain United States space leadership; (c) obtain economic and scientific benefits through the exploitation of space; (d) expand United States private-sector investment and involvement in civil space and space-related activities; (e) promote international cooperative activities that are in the national interest; and (f) cooperate with other nations in maintaining the freedom of space for all activities that enhance the security and welfare of mankind.

The United States space program shall be conducted in accordance with the following basic principles:

A. The United States is committed to the exploration and use of space by all nations for peaceful purposes and for the benefit of mankind. "Peaceful purposes" allow activities in pursuit of national security goals.

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B. The United States rejects any claims to sovereignty by any nation over outer space or celestial bodies, or any portion thereof, and rejects any limitations on the fundamental right to acquire data from space.

C. The United States considers the space systems of any nation to be national property with the right of passage through and operations in space without interference. Purposeful interference with space systems shall be viewed as an infringement upon sovereign rights.

D. The United States encourages domestic commercial exploitation of space capabilities, technology, and systems for national economic benefit. These activities must be consistent with national security concerns, treaties, and international agreements.

E. The United States will conduct international cooperative space-related activities that achieve sufficient scientific, political, economic, or national security benefits for the nation.

F. The United States space program will be comprised of two separate, distinct and strongly interacting programs--national security and civil. Close coordination, cooperation and information exchange will be maintained among these programs to avoid unnecessary duplication.

G. The United States Space Transportation System (STS) is the primary space launch system for both national security and civil government missions. STS capabilities and capacities shall be developed to meet appropriate national needs and shall be available to authorized users -- domestic and foreign, commercial, and governmental.

H. The United States will pursue activities in space in support of its right of self-defense.

I. The United States will continue to study space arms control options. The United States will consider verifiable and equitable arms control measures that would ban or otherwise limit testing and deployment of specific weapons systems, should those measures be compatible with United States national security.

II. SPACE TRANSPORTATION SYSTEM

The Space Transportation System (STS) is composed of the Space Shuttle, associated upper stages, and related facilities. The following policies shall govern the development and operation of the STS:

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A. The STS is a vital element of the United States space program and is the primary space launch system for both United States national security and civil government missions. The STS will be afforded the degree of survivability and security protection required for a critical national space resource.

B. The first priority of the STS program is to make the system fully operational and cost-effective in providing routine access to space.

C. The United States is fully committed to maintaining world leadership in space transportation with an STS capacity sufficient to meet appropriate national needs. The STS program requires sustained commitments by all affected departments and agencies. The United States will continue to develop the STS through the National Aeronautics and Space Administration (NASA) in cooperation with the Department of Defense (DoD). Enhancements of STS operational capability, upper stages, and efficient methods of deploying and retrieving paylods should be pursued as national requirements are defined.

D. United States Government spacecraft should be designed to take advantage of the unique capabilities of the STS. The completion of transition to the Shuttle should occur as expeditiously as practical.

E. NASA will assure the Shuttle's utility to the civil users. In coordination with NASA, the DoD will assure the Shuttle's utility to national defense and integrate national security missions into the Shuttle system. Launch priority will be provided for national security missions.

F. Expendable launch vehicle operations shall be continued by the United States Government until the capabilities of the STS are sufficient to meet its needs and obligations. Unique national security considerations may dictate developing special-purpose launch capabilities.

G. For the near-term, the STS will continue to be managed and operated in an institutional arrangement consistent with the current NASA/DoD Memoranda of Understanding. Responsibility will remain in NASA for operational control of the STS for civil missions and in the DoD for operational control of the STS for national security missions. Mission management is the responsibility of the mission agency. As the STS operations mature, options will be considered for possible transition to a different institutional structure.

H. Major changes to STS program capabilities will require Presidential approval.

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III. CIVIL SPACE PROGRAM

The United States shall conduct civil space programs to expand knowledge of the Earth, its environment, the solar system, and the universe; to develop and promote selected civil applications of space technology; to preserve the United States leadership in critical aspects of space science, applications, and technology; and to further United States domestic and foreign policy objectives. Consistent with the National Aeronautics and Space Act, the following policies shall govern the conduct of the civil space program.

A. Science, Applications, and Technology: United States Government civil programs shall continue a balanced strategy of research, development, operations, and exploration for science, applications, and technology. The key objectives of these programs are to:

(1) Preserve the United States preeminence in critical major space activities to enable continued exploitation and exploration of space.

(2) Conduct research and experimentation to expand understanding of: (a) astrophysical phenomena and the origin and evolution of the universe, through long-term astrophysical observation; (b) the Earth, its environment, and its dynamic relation with the Sun; (c) the origin and evolution of the solar system, through solar, planetary, and lunar sciences and exploration; and (d) the space environment and technology required to advance knowledge in the biological sciences.

(3) Continue to explore the requirements, operational concepts, and technology associated with permanent space facilities.

(4) Conduct appropriate research and experimentation in advanced technology and systems to provide a basis for future civil space applications.

B. Private Sector Participation: The United States Government will provide a climate conducive to expanded private sector investment and involvement in civil space activities, with due regard to public safety and national security. Private sector space activities will be authorized and supervised or regulated by the government to the extent required by treaty and national security.

C. International Cooperation: United States cooperation in international civil space activities will:

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(1) Support the public, nondiscriminatory direct readout of data from Federal civil systems to foreign ground stations and the provision of data to foreign users under specified conditions.

(2) The United States will continue cooperation with other nations in international space activities by conducting joint scientific and research programs, consistent with technology transfer policy, that yield sufficient benefits to the United States.

D. Civil Operational Remote Sensing: Management of Federal civil operational remote sensing is the responsibility of the Department of Commerce. The Department of Commerce will: (a) aggregate Federal needs for civil operational remote sensing to be met by either the private sector or the Federal government; (b) identify needed civil operational system research and development objectives; and (c) in coordination with other departments or agencies, provide for regulation of private-sector operational remote sensing systems.

IV. NATIONAL SECURITY SPACE PROGRAM

The United States will conduct those activities in space that it deems necessary to its national security. National security space programs shall support such functions as command and control, communications, navigation, environmental monitoring, warning, surveillance and space defense. The following states the policies which shall govern the conduct of the national security program:

A. Survivability. Survivability and endurance of space systems, including all system elements, will be pursued commensurate with the planned use in crisis and conflict, with the threat, and with the availability of other assets to perform the mission. Deficiencies will be identified and eliminated, and an aggressive, long-term program will be undertaken to provide more-assured survivability and endurance.

B. Anti-satellite (ASAT) Capability. The United States will proceed with development of an ASAT capability, with operational deployment as a goal. The primary purposes of a United States ASAT capability are to deter threats to space systems of the United States and its Allies and, within such limits imposed by international law, to deny any adversary the use of space-based systems that provide support to hostile military forces.

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C. Space Defense. The United States will develop and maintain an integrated attack warning, notification, verification, and contingency reaction capability which can effectively detect and react to threats to United States space systems.

D. Security. Security, including dissemination of data, shall be conducted in accordance with Executive Orders and applicable directives for protection of national security information and commensurate with both the missions performed and the security measures necessary to protect related space activities.

V. INTER-PROGRAM RESPONSIBILITIES

The following guidance is applicable to and binding upon the United States national security and civil space programs:

A. The national security and civil space programs will be closely coordinated and will emphasize technology sharing within necessary security constraints. Technology transfer issues will be resolved within the framework of directives, executive orders, and laws.

B. Civil earth-imaging from space will be permitted under controls when the requirements are justified and assessed in relation to civil benefits, national security, and foreign policy. These controls will be periodically reviewed to determine if the constraints should be revised.

C. The United States Government will maintain and coordinate separate national security and civil operational space systems when differing needs of the programs dictate.

VI. IMPLEMENTATION

Normal interagency coordinating mechanisms will be employed to the maximum extent possible to implement the policies enunciated in this directive. To provide a forum to all Federal agencies for their policy views, to review and advise on proposed changes to national space policy, and to provide for orderly and rapid referral of space policy issues to the President for decisions as necessary, a Senior Interagency Group (SIG) on Space shall be established. The SIG(Space) will be chaired by the Assistant to the President for National Security Affairs and will include the Deputy or Under Secretary of State, the Deputy or Under Secretary of Defense, the Deputy or Under Secretary of Commerce, Director of Central Intelligence, Chairman of the Joint Chiefs of Staff, Director of the Arms Control and Disarmament

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Agency, and the Administrator of the National Aeronautics and Space Administration. Representatives of the Office of Management and Budget and the Office of Science and Technology Policy will be included as observers. Other agencies or departments will participate based on the subjects to be addressed.

Ronald Reagan

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